UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,085	01/08/2001	Stephen R. Palm	1875.0030001	5148

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EXAMINER
BATES, KEVIN T

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 May 2006_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-10, 12-14, 16-18 and 20_ is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-10, 12-14, 16-18, and 20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Response to Amendment

This Office Action is in response to a communication made on May 5, 2006.

Claims 11, 15, and 19 have been cancelled.

Claims 1-10, 12-14, 16-18, and 20 are currently pending in this application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-10, 12-14, 16-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (6192340) in view of Cluts (5616876), and in further view of Holland (6446096).

Regarding claim 1, Abecassis teaches a method for providing multimedia content over a network (Column 2, line 62 – Column 3, line 4), comprising the steps of:

(a) connecting at least one multimedia device (Column 5, lines 20 – 25) to at least one media server storing a plurality of selectable multimedia clips over a communications network (Column 11, lines 58 – 64);

(b) selecting selectable multimedia clips for playing by said at least one multimedia device (Column 16, lines 47 – 67);

(c) generating a playlist in the media server wherein said selected at least one of said plurality of selectable multimedia clips is included therein (Column 15, lines 58 – 62);

(d) transferring said generated playlist from said selected media server to said at least one multimedia device (Column 16, lines 20 – 24); and

(e) rendering said playlist (Column 16, lines 31 – 37).

Abecassis does not explicitly indicate selecting specific clips accomplished by user interaction with a menu generated by the server and that the menu interaction and rendered list are distributed using WML standard only that is should be a type of search engine.

Cluts teaches a system with a server and a multimedia device (Column 2, lines 33 – 36) which allows the user to interactively select items from a list of items presented to the device from the server (Column 2, lines 37 – 48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Cluts teachings of presenting a multimedia device a menu or list of items that can be selected by the user to be added to a playlist in Abecassis system in order to have the user be able to be more interactive with a music/radio on demand system such as picking specific music clips to play at specific times (Column 1, lines 39 – 40; lines 56 – 64).

Holland discloses a system that provides communication and menu interfaces to multimedia devices, using the WML standard to provide interactivity of the menu to the multimedia device (Column 5, lines 25 – 30).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use Holland's teaching of using WML to provide an interactive

display to devices of limited capabilities such as the multimedia player in Abecassis.

Regarding claim 2, Abecassis teaches the method of claim 1 wherein said

communications network is a local home communications network (Column 12, lines 41

– 43).

Regarding claim 3, Abecassis teaches the method of claim 1 wherein said

communications network is a public communications network (Column 11, lines 12 –

19).

Regarding claim 4, Abecassis teaches the method of claim 1 wherein said

communications network is the Internet (Column 11, line 19).

Regarding claim 5, Abecassis teaches the method of claim 1 wherein said

playlist file comprises audio data (Column 15, lines 58 – 67).

Regarding claim 6, Abecassis teaches the method of claim 1 further comprising

the steps of (e) displaying a list of said media servers available to said at least one

multimedia device (Column 25, lines 59 – 67); and (f) selecting one of said media

servers from said list of said media servers available to said at least one multimedia

device (Column 26, lines 1 – 7).

Regarding claim 17, Abecassis teaches the method of claim 1, wherein said

multimedia device is connected to said media server via a TCP/IP network (Column 27,

lines 10 – 25; where ISP and internet connections use TCP/IP), and the step of

selecting at least one of said plurality of selectable multimedia clips is performed

(Column 27, lines 41 – 42) on said media server using a browser interface provided to

said multimedia device by said media server (Column 19, lines 1 – 8; Figure 5 and 6)

Regarding claim 18, Abecassis teaches the method of claim 17, wherein said

media server generates said playlist in response to said selection of multimedia clips

received from said multimedia device (Column 2, line 62 – Column 3, line 4; Column 3,

lines 24 – 30).

Regarding claim 20, Abecassis teaches that said step of rendering said playlist

is performed by the multimedia device, and comprising the further steps of:

parsing said playlist in said multimedia device; and

retrieving digital multimedia files specified in said playlist over said communications

network in response to said parsing operation for playback at said multimedia device

(Column 24, lines 12 – 20).

Regarding claim 7, Abecassis teaches a method for providing multimedia

content over a network (Column 2, line 62 – Column 3, line 4), comprising the steps of:

(a) displaying a list of one or more media servers storing a plurality of selectable

multimedia clips available to one or more multimedia devices (Column 25, lines 59 –

67);

(b) selecting a media server from said list of one or more media servers (Column

25, lines 36 – 43);

(c) connecting said one or more multimedia devices (Column 5, lines 20 – 25) to

said selected media server via a browser interface (Column 11, lines 58 – 64; Column

6, line 62 – Column 7, line 8);

(d) selecting at least one of said plurality of selectable multimedia clips (Column 9, lines 51 – 58) for rendering by said one or more multimedia devices (Column 16, lines 47 – 67);

(e) generating a playlist in a standard Internet markup language at said media server;

(f) transmitting said playlist to at least one of said multimedia devices;

(g) parsing said playlist at said at least one multimedia device and (Column 3, lines 26 – 30; Column 24, lines 12 – 20) transferring said selected at least one of said stored plurality of selectable multimedia clips from said selected media server to at least one multimedia device (Column 13, line 63 – Column 14, line 7); and

(h) rendering said selected at least one of said plurality of selectable multimedia clips by retrieving files defined in said playlist (Column 14, lines 60 – 63).

Abecassis does not explicitly indicate selecting specific clips accomplished by user interaction with a menu generated by the server and that the menu interaction and rendered list are distributed using WML standard only that is should be a type of search engine.

Cluts teaches a system with a server and a multimedia device (Column 2, lines 33 – 36) which allows the user to interactively select items from a list of items presented to the device from the server (Column 2, lines 37 – 48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Cluts teachings of presenting a multimedia device a menu or list of items that can be selected by the user to be added to a playlist in Abecassis

system in order to have the user be able to be more interactive with a music/radio on demand system such as picking specific music clips to play at specific times (Column 1, lines 39 – 40; lines 56 – 64).

Holland discloses a system that provides communication and menu interfaces to multimedia devices, using the WML standard to provide interactivity of the menu to the multimedia device (Column 5, lines 25 – 30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Holland's teaching of using WML to provide an interactive display to devices of limited capabilities such as the multimedia player in Abecassis.

Regarding claim 8, Abecassis teaches a networked based multimedia delivery system (Column 2, line 62 – Column 3, line 4) comprising:

(a) at least one multimedia device having input means and display means through which a user may request multimedia clips and output means through which requested multimedia clips may be played (Column 5, lines 25 – 36);

(b) at least one media server in communications with said at least one multimedia device for generating a playlist file containing multimedia clips (Column 15, lines 58 – 62) and providing said playlist file to said at least one multimedia device in response to said user's request for multimedia clips (Column 16, lines 20 – 24); and

(c) a local home communications network for interfacing said at least one multimedia device with said at least one media server (Column 12, lines 41 – 43).

Abecassis does not explicitly indicate selecting specific clips accomplished by user interaction with a menu generated by the server and that the menu interaction and

rendered list are distributed using WML standard only that is should be a type of search engine.

Cluts teaches a system with a server and a multimedia device (Column 2, lines 33 – 36) which allows the user to interactively select items from a list of items presented to the device from the server (Column 2, lines 37 – 48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Cluts teachings of presenting a multimedia device a menu or list of items that can be selected by the user to be added to a playlist in Abecassis system in order to have the user be able to be more interactive with a music/radio on demand system such as picking specific music clips to play at specific times (Column 1, lines 39 – 40; lines 56 – 64).

Holland discloses a system that provides communication and menu interfaces to multimedia devices, using the WML standard to provide interactivity of the menu to the multimedia device (Column 5, lines 25 – 30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Holland's teaching of using WML to provide an interactive display to devices of limited capabilities such as the multimedia player in Abecassis.

Regarding claim 9, Abecassis teaches the network based multimedia delivery system of claim 8 further comprising:

(d) an access link for connecting said local home communication network to said at least one media server over a public communications network (Column 11, lines 1 – 19); and

(e) an access gateway for translating communications protocols between said

local home communications network and said access link (Column 11, lines 12 – 15).

Regarding claim 10, Abecassis teaches the network based multimedia delivery

system of claim 9, wherein said public network is the Internet (Column 11, line 19).

Regarding claim 12, Abecassis teaches the network based multimedia delivery

system of claim 8, wherein said multimedia device is designed to

(a) be automatically configured on said local home communications network

(Column 5, lines 49 – 56);

(b) resolve a hot name in a URL using DNS call (Column 2, lines 45 - 50);

(c) issue HTTP request;

(d) receive HTTP responses containing MIME objects;

(e) HTML content (Column 25, line 59 – Column 26, line 7);

(f) parse said playlist;

(g) interactively search a database of track, album, and playlist information;

(h) mix said playlist with local content; and

(i) receive channels of multimedia clips from said media server (Column 27, lines

41 – 52).

Holland discloses a system that provides communication and menu interfaces to

multimedia devices, using the WML standard to provide interactivity of the menu to the

multimedia device (Column 5, lines 25 – 30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Holland's teaching of using WML to provide an interactive display to devices of limited capabilities such as the multimedia player in Abecassis.

Regarding claim 13, Abecassis teaches the network based multimedia delivery system of claim 8 wherein said multimedia device is designed to

(a) be automatically configured on said local home communications network (Column 5, lines 49 – 56);

(b) issue HTTP request;

(c) receive HTTP responses containing MIME objects

(d) display HTML content (Column 25, line 59 – Column 26, line 7);

(e) parse said playlist; and

(f) mix said playlist with local content (Column 27, lines 41 – 52).

Holland discloses a system that provides communication and menu interfaces to multimedia devices, using the WML standard to provide interactivity of the menu to the multimedia device (Column 5, lines 25 – 30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Holland's teaching of using WML to provide an interactive display to devices of limited capabilities such as the multimedia player in Abecassis.

Regarding claim 14, Abecassis teaches a networked based multimedia delivery system comprising (Column 2, line 62 – Column 3, line 4):

(a) at least one media server for generating a playlist file from a plurality of

centrally stored multimedia clips in response to a user request (Column 15, lines 58 –

63); and

(b) at least one multimedia device in communications with said at least one

media server for generating said user request, wherein said at least one multimedia

device is further used to receive and parse said generated playlist file (Column 15, lines

58 – 63).

Abecassis does not explicitly indicate selecting specific clips accomplished by

user interaction with a menu generated by the server and that the menu interaction and

rendered list are distributed using WML standard only that is should be a type of search

engine.

Cluts teaches a system with a server and a multimedia device (Column 2, lines

33 – 36) which allows the user to interactively select items from a list of items presented

to the device from the server (Column 2, lines 37 – 48).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use Cluts teachings of presenting a multimedia device a menu or

list of items that can be selected by the user to be added to a playlist in Abecassis

system in order to have the user be able to be more interactive with a music/radio on

demand system such as picking specific music clips to play at specific times (Column 1,

lines 39 – 40; lines 56 – 64).

Holland discloses a system that provides communication and menu interfaces to multimedia devices, using the WML standard to provide interactivity of the menu to the multimedia device (Column 5, lines 25 – 30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Holland's teaching of using WML to provide an interactive display to devices of limited capabilities such as the multimedia player in Abecassis.

Regarding claim 16, Abecassis teaches a multimedia device for use in a network based multimedia delivery system (Column 2, line 62 – Column 3, line 4) comprising:

(a) means for automatically configuring the multimedia device on a communications network (Column 16, lines 31 – 37);

(b) means for displaying at least one media server in communications with the multimedia device over said communications network, wherein said at least one media server has a plurality of stored multimedia clips;

(c) means for interactively searching said plurality of stored multimedia clips using all or a portion of a text string (Column 25, lines 59 – 67);

(d) means for passively searching said plurality of stored multimedia clips (Column 16, lines 47 – 67);

(e) means for requesting at least one of said plurality of stored multimedia clips from said at least one media server;

(f) means for receiving a remotely generated playlist data file from said at least one media server over said communications network, wherein said remotely generated

playlist data file is comprised of <u>data identifying</u> said requested at least one of said

plurality of stored multimedia clips (Column 24, lines 12 – 20);

(g) means for parsing said remotely generated data file (Column 15, lines 1 –

14); and

(h) means for displaying said remotely generated data file with local data

(Column 9, lines 16 – 19).

Abecassis does not explicitly indicate selecting specific clips accomplished by

user interaction with a menu generated by the server and that the menu interaction and

rendered list are distributed using WML standard only that is should be a type of search

engine.

Cluts teaches a system with a server and a multimedia device (Column 2, lines

33 – 36) which allows the user to interactively select items from a list of items presented

to the device from the server (Column 2, lines 37 – 48).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use Cluts teachings of presenting a multimedia device a menu or

list of items that can be selected by the user to be added to a playlist in Abecassis

system in order to have the user be able to be more interactive with a music/radio on

demand system such as picking specific music clips to play at specific times (Column 1,

lines 39 – 40; lines 56 – 64).

Holland discloses a system that provides communication and menu interfaces to

multimedia devices, using the WML standard to provide interactivity of the menu to the

multimedia device (Column 5, lines 25 – 30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Holland's teaching of using WML to provide an interactive display to devices of limited capabilities such as the multimedia player in Abecassis.

Response to Arguments

Applicant's arguments with respect to claims 1, 7, 8, 14, and 16 have been considered but are moot in view of the new ground(s) of rejection.

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6987221 issued to Platt, because it discloses generating playlists for a user and uses the WML standard.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KB
August 3, 2006

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SUPERVISORY PATENT EXAMINER